

THE
WAR OF THE REBELLION:

A COMPILATION OF THE
OFFICIAL RECORDS

OF THE
UNION AND CONFEDERATE ARMIES.

PUBLISHED UNDER THE DIRECTION OF
The Hon. ELIHU ROOT, Secretary of War,
BY
BRIG. GEN. FRED C. AINSWORTH,
CHIEF OF THE RECORD AND PENSION OFFICE, WAR DEPARTMENT,
AND
MR. JOSEPH W. KIRKLEY,

SERIES IV—VOLUME II.

WASHINGTON:
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ADDITIONS AND CORRECTIONS

TO

SERIES IV—VOLUME II.

(To be inserted in the volume. For explanation see General
Index volume, Serial No. 130, page XXVIII.)

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Mr. JOHN S. MOOREY, Indexer.

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TEXT.

- Page 143. After *Indorsement* on Mallory to Randolph, strike out the line *Killed*
mond, October 25, 1862, and address *Hon. S. R. Mallory, Secretary*
of the Navy.
- Page 213. J. A. S. to The Adjutant-General, first line, for *I send* read *forward*.

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P R E F A C E .

The work of preparing the records of the war for public use was begun, under the resolution of Congress of May 19, 1864, by Col. E. D. Townsend, assistant adjutant-general, U. S. Army (then in charge of the Adjutant-General's Office, and subsequently the Adjutant-General), who caused copies to be made of reports of battles on file in his office and steps to be taken to collect missing records.

Under the provisions of joint resolution of July 27, 1866, Hon. Peter H. Watson was appointed to supervise the preparation of the records and to formulate a plan for their publication, but he performed no service under this appointment, which expired July 27, 1868, by limitation. This resolution having also repealed the former one, the project was suspended for the time being.

The first decisive step taken was the act of June 23, 1874, providing the necessary means "to enable the Secretary of War to begin the publication of the Official Records of the War of the Rebellion, both of the Union and Confederate Armies," and directing him "to have copied for the Public Printer all reports, letters, telegrams, and general orders, not heretofore copied or printed, and properly arranged in chronological order." Appropriations have been made from time to time for continuing such preparation. Under this act the preliminary work was resumed by General Townsend.

Subsequently, under meager appropriations, it was prosecuted in a somewhat desultory manner by various subordinates of the War Department until December 14, 1877, when the Secretary of War, perceiving that the undertaking needed the undivided attention of a single head, detailed Capt. Robert N. Scott, Third U. S. Artillery (subsequently major and lieutenant-colonel same regiment), to take charge of the office.

The act of June 23, 1874, enlarged upon the first scheme of publication. On this more comprehensive basis it was determined that the volumes should include not only the battle reports, correspondence, etc., in possession of the War Department, but also "all official documents that can be obtained by the compiler, and that appear to be of any historical value." Colonel Scott systematized the work, and, upon his recommendation, the Secretary of War approved the following order of publication:

The first series will embrace the formal reports, both Union and Confederate, of the first seizures of United States property in the Southern States, and of all military operations in the field, with the correspondence, orders, and returns relating specially thereto, and, as proposed, is to be accompanied by an Atlas.

In this series the reports will be arranged according to the campaignal theaters of operations (in the chronological order of events) and reports of any event will, as a rule, be immediately followed by the accounts. The correspondence, etc., not embraced in the reports will follow (first Union and next Confederate) in chronological order.

The second series will contain the correspondence, orders, reports of the Union and Confederate, relating to prisoners of war, and (so far as the authorities were concerned) to state or political prisoners.

The third series will contain the correspondence, orders, reports of the Union authorities (embracing their correspondence with the Confederates) not relating specially to the subjects of the first and second series, and set forth the annual and special reports of the Secretary of War, the Adjutant-General, and of the chiefs of the several staff corps and departments for troops, and the correspondence between the National and these authorities.

The fourth series will exhibit the correspondence, orders, reports, and orders of the Confederate authorities, similar to that indicated for the Union in the third series, but excluding the correspondence between the Confederate authorities given in that series.

The first volume of the records was issued in the early fall of 1862. The act approved June 16, 1880, provided "for the printing and publication of the Official Records (Union and Confederate) of the War of the Rebellion, so far as the same may be ready for publication at the fiscal year;" and that "of said number 7,000 copies shall be for the use of the House of Representatives, 2,000 copies for the use of the Senate, and 1,000 copies for the use of the Executive Department." Under this act Colonel Scott proceeded to publish the first five volumes of the records.*

*All subsequent volumes have been distributed under the act approved July 7, 1882, which provides that:

"The volumes of the Official Records of the War of the Rebellion shall be distributed as follows: One thousand copies to the Executive Department provided by law. One thousand copies for distribution by the Secretary of War to officers of the Army and contributors to the work. Eight thousand copies shall be sent by the Secretary of War to such libraries, institutions, and individuals as may be designated by the Senators, Representatives, and Delegates of the Forty-seventh Congress. Each Senator shall designate not exceeding twenty-six, and each Representative and Delegate not exceeding twenty, such addresses, and the volumes shall be sent thereto from time to time as published, until the publication is completed. Senators, Representatives, and Delegates shall inform the Secretary of War in each case how many volumes heretofore published they have forwarded to each address. The remaining of the eleven thousand to be published, and all acts that may not be otherwise distributed as provided herein, shall be sold by the Secretary of War to publication with ten per cent. added thereto, and the proceeds of such sale covered into the Treasury. If two or more sets of said volumes are ordered at the same address, the Secretary of War shall inform the Senators, Representatives, and Delegates who have designated the same, who thereupon may designate libraries, organizations, or individuals. The Secretary of War shall report at the first session of the Forty-eighth Congress what volumes of the series heretofore published have not been furnished to such libraries, organizations, and individuals. He shall also inform distributees at whose instance the volumes are sent."

Colonel Scott died March 5, 1887. At his death some twenty-six books only had been issued, but he had compiled a large amount of matter for forthcoming volumes; consequently his name as compiler was retained in all the books up to and including Vol. XXXVI, although his successors had added largely to his compilations from new material found after his demise.

The Secretary of War, May 7, 1887, assigned Lieut. Col. H. M. Lazelle, Twenty-third U. S. Infantry, to duty as the successor of Colonel Scott. He had continued in charge about two years, when, in the act approved March 2, 1889, it was provided—

That hereafter the preparation and publication of said records shall be conducted, under the Secretary of War, by a board of three persons, one of whom shall be an officer of the Army, and two civilian experts, to be appointed by the Secretary of War, the compensation of said civilian experts to be fixed by the Secretary of War.

The Secretary of War appointed Maj. George B. Davis, judge-advocate, U. S. Army, as the military member, and Leslie J. Perry, of Kansas, and Joseph W. Kirkley, of Maryland, as the civilian expert members of said board. The board assumed direction of the publication at the commencement of the fiscal year 1889, its first work beginning with Serial No. 36 of Vol. XXIV.

July 1, 1895, by direction of the Secretary of War, Maj. George W. Davis, Eleventh U. S. Infantry (subsequently lieutenant-colonel Fourth U. S. Infantry), relieved Maj. George B. Davis as the military member and president of the Board of Publication. Subsequently Col. Fred C. Ainsworth, Chief of the Record and Pension Office, War Department, was appointed the military member and president of the board, relieving Lieut. Col. George W. Davis June 1, 1898.

December 1, 1898, under the provision of the sundry civil act of July 1, 1898, relative to the War Records Office, the Board of Publication was dissolved, whereupon, by direction of the Secretary of War, the continuance of the work, beginning with Vol. VI, Series II, devolved on Colonel (now Brigadier-General) Ainsworth.

By operation of law (contained in "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1900," approved February 24, 1899), the War Records Office was merged into the Record and Pension Office, July 1, 1899, and since that date the work of publication has been conducted under the supervision of the chief of that office.

Each volume includes a copious index, and for the further convenience of investigators there will be, in addition, a separate general index to the entire set.

Nothing is printed in these volumes except duly authenticated contemporaneous records of the war. The scope of the compiler's work is to decide upon and arrange the matter to be published; to correct and verify the orthography of the papers used, and, wherever deemed necessary, to add a foot-note of explanation.

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SERIES IV.—VOL. II.

CORRESPONDENCE, ORDERS, REPORTS, AND RETURNS OF THE CONFEDERATE AUTHORITIES, JULY 1, 1862—DECEMBER 31, 1863.*

GENERAL ORDERS, }
No. 46. }

WAR DEPARTMENT,
ADJUT. AND INSP. GENERAL'S OFFICE,
Richmond, July 1, 1862.

I. The following regulations are published for the information of the Army:

1. Paragraph III, General Orders, No. 24, current series,† is so modified as to permit the appointment of brigade ordnance officers, who shall have the rank and pay of first lieutenants of artillery.

2. Brigade ordnance officers so appointed will be subject to the division ordnance officers, so far as relates to ordnance duties, and will make requisitions on them. They will also make such reports as may be required to the division ordnance officers.

3. Ordnance-sergeants of regiments will be subject to and make reports to the brigade ordnance officers.

4. Since the act of April 19, 1862, providing an ordnance-sergeant to each regiment, the acting appointees, authorized under General Orders, No. 24, current series, and made by colonels of regiments, will be reported for appointment under the above act in cases where such report has not been made to the Ordnance Bureau. Hereafter the appointments will be made to regiments as to military posts, by the Secretary of War, and upon the recommendation of colonels of regiments, through the Ordnance Bureau, the non-commissioned officers recommended being at once placed upon duty in anticipation of the appointment.

II. Paragraph IV, General Orders, No. 44, current series,‡ is hereby rescinded, and the following paragraph is substituted in lieu thereof:

Persons under eighteen and over thirty-five years of age who have re-enlisted for three years or the war are not entitled to their discharge under the conscript act. Persons of the ages above mentioned who enlisted for twelve months, or for a shorter term, will be entitled to their discharge ninety days after the expiration of their term of service.

* * * * *

By command of the Secretary of War:

S. COOPER,
Adjutant and Inspector General.

*The letters sent books of the U. S. War Department from May 23 to September 12, 1862, were never received by the U. S. authorities. This will explain the want of continuity in the letters from that office covering the period mentioned.

†See Vol. I, this series, p. 1005.

‡*Ibid.*, p. 1154.

SURGEON-GENERAL'S OFFICE,
Richmond, July 3, 1861

Surg. T. H. WILLIAMS,
Medical Inspector, Danville, Va.:

SIR: You are instructed to inform the medical officers within district who examine recruits that they should not be rejected trivial defects, but all passed who are capable of bearing arms. A certificate of disability from any medical man is not a sufficient one for the rejection of a recruit. It is requisite that such certificate should come from a medical officer designated or detailed for examination.

Very respectfully, your obedient servant,

S. P. MOORE,
Surgeon-General

GENERAL ORDERS, }
No. 47.

WAR DEPARTMENT,
ADJUT. AND INSP. GENERAL'S OFFICE,
Richmond, July 9, 1861

I. The reception of unnaturalized foreigners as substitutes in Army is hereby forbidden.

II. Commissioned officers of new companies, battalions, and regiments coming into service will take rank from the date of receipt in the service of the Confederate States; which date of receipt will not precede the complete organization of the company, battalion, or regiment, the proof of which will be considered in the act of entry, or of any exercise of authority by the Confederate States in the company, battalion, or regiment.

III. Where companies of the same battalion or regiment enter service on the same day, the relative rank of the officers of the same grade therein will be determined by lot, except in the case of former commissions in the Confederate service, when the fifth paragraph of the General Regulations of the Army will govern.

IV. The relative rank of commissioned officers of companies, battalions, or regiments, who continue in service by re-election to same grade in the same corps, will be fixed by the date of their original election or appointment; but those who change their grade or corps by re-election will take rank from the date of such re-election.

By command of the Secretary of War:

S. COOPER,
Adjutant and Inspector General

RICHMOND, VA., July 10, 1861.
GOVERNOR JOSEPH E. BROWN,
Atlanta, Ga.:

DEAR SIR: I have received your letter of the 21st ultimo and would have contented myself with the simple acknowledgment of its receipt but for one or two matters contained in it which seem to require distinct reply. I deemed it my duty to state my views in relation to the constitutionality of the conscription law for the reasons mentioned in my letter to you, but it was not part of my intention to enter in a protracted discussion. It was convenient to send my views to others than yourself, and for this purpose I caused my letter, signed

ph yours, to be printed in pamphlet form. I am not aware of having omitted any part of your observations, nor did I anticipate any other correspondence on the subject. I supposed you had fully stated your views, as I had stated mine, and no practicable benefit could be attained by further discussion. It is due, however, to myself to disclaim in the most pointed manner a doctrine which you have ascribed to attribute to me, and against which you indulge in lengthened argument. Neither in my letter to you, nor in any sentiment ever expressed by me, can there be found just cause to impute to me the belief that Congress is the final judge of the constitutionality of contested power. I said in my letter that "when a specific power is granted Congress is the judge whether the law passed for the purpose of executing that power is necessary and proper." I never asserted, nor intended to assert, that after the passage of such laws might not be declared unconstitutional by the courts, on complaint made by an individual, nor that the judgment of Congress was conclusive against a State, as supposed by you; nor that all the co-ordinate branches of the General Government could together finally decide a question of the reserved rights of a State. The right of each State to judge in the last resort whether its reserved powers had been usurped by the General Government is too familiar and well-settled a principle to admit of discussion. As I cannot see, however, after the most respectful consideration of all that you have said, anything to change my conviction that Congress has exercised only a plainly granted specific power in raising its armies by conscription, I cannot share the alarm and concern about State rights which you so evidently feel, but which to me seem quite unfounded.

I am, very respectfully, yours,

JEFF'N DAVIS.

GENERAL ORDERS, }
No. 48.

WAR DEPARTMENT,
ADJUT. AND INSPECTION, GENERAL'S OFFICE,
Richmond, July 11, 1862.

I. The appointments of general officers and officers of the general staff in the Provisional Army, being made under special authority and for specific objects, terminate with their commands, except in case of assignment to other appropriate duties.

II. General Orders, No. 17, Adjutant and Inspector General's Office, November 7, 1861, authorizing discharges from the service and furloughs by brigade commanders, are hereby revoked.

III. Paragraphs 160 and 161, Regulations for the Army, published March 13, 1862, are revoked, and the following regulations are substituted:

160. When a non-commissioned officer or soldier shall be unfit for military service in consequence of wounds, disease, or infirmity, his captain shall forward to the commandant of the department, or of the army in the field, through the commander of the regiment or post, a statement of the case, with "certificates of disability," signed by the senior surgeon of the regiment or post, according to the form prescribed in the Medical Regulations. If the recommendation for the discharge of the invalid be approved, the authority therefor will be inclosed on the "certificates of disability," which will be sent back to be completed and signed by the commanding officer of the regiment or command to which the invalid's company belongs, who will also

sign the discharge and cause the final statements to be made & forward the certificates of disability to the Adjutant and Inspector General.

161. When a non-commissioned officer or soldier is absent from his regiment or company, in hospital, and shall be unfit for military service for the reasons set forth in the preceding paragraph, the surgeon of the hospital will make out "certificates of disability" and forward them through the commander of the company or regiment, the commander of the department or of the army in the field, approval being given the commanding officer will complete and forward the certificates of disability to the Adjutant and Inspector General and send the papers of discharge to the surgeon. But access to commanders is difficult, and attended with great delay. Certificates of disability may, in urgent cases, be forwarded by the surgeon to the Surgeon-General for approval; which being given, the discharge will be authorized from the Adjutant and Inspector General's Office, and the surgeon will make out final statements.

IV. Medical officers are prohibited from recommending long absence and furloughs to sick and wounded officers and men except when it is absolutely necessary for them to go home to be restored to health; in which case the soldier only will be entitled to transportation, to be given in kind.

By command of the Secretary of War:

S. COOPER,
Adjutant and Inspector General

STATE OF NORTH CAROLINA, EXECUTIVE DEPARTMENT,
Raleigh, July 23, 1862

Hon. G. W. RANDOLPH,
Secretary of War:

SIR: Without desiring to criticize the conduct or policy of the War Department, I will offer a suggestion, which may only receive such attention as it may merit. The large number of partisan rangers authorized, or claimed to be authorized, by the Department is interfering sadly with the enrollment of conscripts, and therefore seem to be working a serious injury to the service. If some great good was to be accomplished by them, I think the findings of experience show that a long and thorough training of men and horses is absolutely required to make cavalry effective; a rare combination of talent is required for officers to drill or command or use cavalry to advantage. Without these advantages they are useless except for couriers or pickets. They are very expensive and contribute far more than any other corps to exhaust the resources of a country. The idea of being mounted is agreeable to the imagination of our people and has attractions which will carry every one into cavalry that will be allowed to join either cavalry or rangers, to the great detriment of the infantry. If I had not refused to receive cavalry and artillery companies there would not have been five infantry regiments from this State. I speak partly from experience, I have raised and equipped two full cavalry regiments for the State and I know the difficulty and expense of equipping and drilling them, and I fear that thus far they show but little return of service. Partisan rangers have a kind of separate and independent command which is another attraction and, I might add, source of detraction.

Now, the eagerness of our conscripts to avoid enrollment by enlistment in those independent corps of partisan rangers sadly conflict with the progress of the enrolling officers. The substitutes, particularly, are placed in the rangers. Not believing they will accomplish much good and witnessing the difficulties they throw in the way of enrollment has prompted this communication, and I would suggest that any legal means to check them would be beneficial, particularly should the enrolled conscripts, or their substitutes in particular, be not allowed to go into the partisan rangers. I fear the move may even now be too late.

I am, most respectfully, yours,

HENRY T. CLARK.

[Enclosure.]

A list of the companies of partisan rangers will be furnished. It is not numerous and none were authorized who were not recommended by the general commanding. Probably companies have been raised without authority. If so, they will not be recognized, and the officers enrolling conscripts cannot exempt the members of partisan corps not authorized by the Department.

G. W. R.

GENERAL ORDERS, }
No. 49. }

WAR DEPARTMENT,
ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, July 14, 1862.

All persons engaged in enrolling conscripts are hereby authorized and required to arrest deserters from the Army and to deliver them to the commandant of the nearest camp of instruction, or to lodge them in the nearest jail, and to return their names, company, and regiment to the Adjutant and Inspector General.

Jailors are requested to detain them, and will be allowed the fees and charges for the detention of prisoners prescribed by the laws of the State in which the jail is situated.

Enrolling officers are also required to report to the Adjutant and Inspector General the names and address of all persons absent from the Army without leave, whether by the expiration of their leaves of absence, furloughs, details, or otherwise; and where this unauthorized absence exceeds the time required to correspond with the War Department the enrolling officer will arrest the person and send him to the nearest camp of instruction, reporting the arrest to the Adjutant and Inspector General.

Commandants of camps of instruction are required to forward deserters and persons absent without leave to their regiments, and have the powers of arrest conferred upon enrolling officers.

By command of the Secretary of War:

S. COOPER,
Adjutant and Inspector General.

CIRCULAR.]

ADJT. AND INSP. GENERAL'S OFFICE,
Richmond, July 14, 1862.

OFFICERS ENROLLING CONSCRIPTS:

Agreeably to General Orders, No. 49, current series, this day published, you are required to arrest all deserters, and, under certain circumstances, all persons absent from the Army without leave.

The public welfare requires you to discharge this duty and the more important duty of enrolling conscripts with the utmost activity and without fear, favor, or affection.

Our capacity to improve the recent victories now favoring our army depends mainly upon your exertions to fill the ranks of our armies.

If you are zealous and active we shall make our enemy taste the bitterness of war; if you are negligent we shall continue to witness its ravages on our own soil.

By command of the Secretary of War:

S. COOPER,
Adjutant and Inspector General.

SPECIAL ORDERS, }
No. 163. }

ADJUT. AND INSP. GENERAL'S OFFICE,
Richmond, July 15, 1862.

XIII. Lieut. Col. Larkin Smith, assistant quartermaster-general, will assume the duties of Quartermaster-General during the temporary absence of Col. A. C. Myers.

By command of the Secretary of War:

JNO. WITHERS,
Assistant Adjutant-General.

[JULY 16, 1862.—For Bragg to Cooper, in relation to the perplexities and difficulties growing out of the existing laws and regulations touching army organization when enforced, &c., see Series I, Vol. XVII, Part II, p. 647.]

Hon. G. W. RANDOLPH,
Secretary of War:

SPARTA, GA., July 17, 1862.

DEAR SIR: I address you in line in behalf of a number of our citizens in different parts of the State. After the passage of the conscription act and before enrollment was authorized to commence quite a number volunteered in new regiments, organized under authority previously granted, and procured substitutes and were received by the officers, as they supposed they had a right to do under the law. The enrolling officers now hold these parties subject to service, notwithstanding they have substitutes in their places, upon the grounds that not more than one substitute per month could be received into any company. This is deemed hard and oppressive. I suggest to you that instructions be given to Major Dunwoody that all persons in this State liable to conscription shall be exempt who honestly and bona fide has a substitute not liable to conscription in service in his place. The clear intention of the conscription act was to allow such substitution, and when for want of proper information proper form has not been followed, but the substance obtained, any evil ensuing ought to be corrected, for if these parties had waited a few weeks and reported themselves to Major Dunwoody with their substitutes they could, I take it for granted, have been received without question. I know of

my own knowledge several very clever gentlemen, highly patriotic, whose brothers were all in the war and whom it would have injured seriously in their private and business matters to leave home, and whom nothing but the most important considerations could have kept from the service, who procured substitutes in this way promptly and willingly, some of them at very high rates. It would certainly be hard now to require these men to go into service or to procure another substitute when they already have one in their stead. You understand me, I trust. All is very respectfully submitted to your attention and consideration. The extent of my suggestion is that those who now have substitutes in the service not liable to conscription shall be exempt, notwithstanding they may not have pursued strict form in the matter.

Yours, truly,

ALEXANDER H. STEPHENS.

P. S.—I am here for a few days on a visit and shall be at home in a week.

A. H. S.

CONFIDENTIAL }
CIRCULAR. }

CONFEDERATE STATES OF AMERICA,
WAR DEPARTMENT,
Richmond, July 17, 1862.

SIR: Our armies are so much weakened by desertions, and by the absence of officers and men without leave, that we are unable to reap the fruits of our victories and to invade the territory of the enemy. We have resorted to courts-martial and military executions, and we have ordered all officers employed in enrolling conscripts to arrest both deserters and absentees, and offered rewards for the former. In Virginia the sheriffs, constables, and jailers have also been employed by the permission of the Governor, but still the evil continues, and unless public opinion comes to our aid we shall fail to fill our ranks in time to avall ourselves of the weakness and disorganization of the enemy.

Their resources enable them to repair defeat with great rapidity, and they are more numerous now in Virginia than they were before the recent battles near Richmond.

I must therefore beg Your Excellency's aid in bringing back to our colors all deserters and absentees. If you will authorize their arrest by State officers, and bring to our assistance the powerful influence of public opinion in your State, we may yet cross the Potomac before a fresh army is raised to oppose us.

It is desirable that this cause of weakness should be concealed as much as possible from the enemy, but we cannot adopt measures to remove it without risking to some extent a disclosure of its existence.

Very respectfully,

GEO. W. RANDOLPH,
Secretary of War.

(Sent to the Governors of States.)

[JULY 17, 1862.—For Blanchard to Randolph, inclosing Hindman's order for the enrollment of all white men between eighteen and thirty-five in volunteer infantry companies, the State authorities assenting, see Series I, Vol. XV, pp. 779-781.]